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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/384,186	08/27/1999	HIROAKI MATSUYAMA	12922	7473

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EXAMINER

NGUYEN, HOAN C

ART UNIT PAPER NUMBER

2871

DATE MAILED: 02/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/384,186

Applicant(s)

MATSUYAMA, HIROAKI

Examiner

HOAN C. NGUYEN

Art Unit

2871

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 January 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: 4, 10, 11, 13 and 14.

Claim(s) rejected: 1-3, 5-9, 12 and 15-42.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

Continuation of 2. NOTE: claims 18 and 25 raise the following New Issues : Spacer disposed approximately at a center of a pixel.

Continuation of 5. does NOT place the application in condition for allowance because the following Response to Arguments

Applicant's arguments filed on 1/17/2003 have been fully considered but they are not persuasive.

Applicant's ONLY arguments are follows:

1. Yamada (US6344883B2) fails to disclose a multi-domain alignment active-matrix LCD device comprising "at least one columnar spacer having a diameter varying along its axis" according to claims 1 and 5.
2. Yamada (US6344883B2) fails to disclose a multi-domain alignment active-matrix LCD device comprising "at least one columnar spacer having a side surface that is slanted or inclined" according to claim 34.
3. Yamada (US6344883B2) fails to disclose a multi-domain alignment active-matrix LCD device comprising "at least one column spacer is provided on the orientation layer" according to claim 42.

Examiner's responses to Applicants' ONLY arguments are follows:

1. Yamada disclose (Fig. a multi-domain alignment active-matrix LCD device comprising "at least one columnar spacer having a diameter varying along its axis". The column spacer comprises the spacer 135 and orientation film 134b formed thereon.
2. Yamada disclose a multi-domain alignment active-matrix LCD device comprising "at least one columnar spacer having a side surface that is slanted or inclined" wherein column spacer comprises the spacer 135 and orientation film 134b formed thereon.
3. Yamada disclose in Figures 31 and 32 a multi-domain alignment active-matrix LCD device comprising "at least one column spacer 523 is provided on the orientation layer 510" according to claim 42..

TOANTON  
PRIMARY EXAMINER